

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MAGTEN ASSET MANAGEMENT	)	
CORPORATION,	)	
	)	
Plaintiff,	)	C.A. No. 05-499-JJF
	)	
v.	)	
	)	
MICHAEL J. HANSON and ERNIE J. KINDT,	)	
	)	
Defendants.	)	
	)	

**MOTION *IN LIMINE* OF DEFENDANTS  
MICHAEL J. HANSON AND ERNIE J. KINDT TO EXCLUDE  
ALL OPINION TESTIMONY RELATED TO EVIDENCE OF INSOLVENCY**

Defendants Michael J. Hanson (“Hanson”) and Ernie J. Kindt (“Kindt”), by and through their counsel of record, hereby respectfully request this Court to Exclude All Opinion Testimony Related to Evidence of Insolvency for the reasons more fully set forth in its Brief in Support of Motion in Limine to Exclude All Opinion Testimony Related to Evidence of Insolvency filed contemporaneously herewith and expressly incorporated herein by reference.

Dated: January 31, 2008

EDWARDS ANGELL PALMER & DODGE LLP

/s/ Denise Seastone Kraft  
Denise Seastone Kraft (#2778)  
919 N. Market Street  
Suite 1500  
Wilmington, DE 19801  
302-425-7106  
888-325-9741 Fax

*Counsel for Michael J. Hanson & Ernie J. Kindt*

OF COUNSEL:

Stanley T. Kaleczyc  
Kimberly A. Beatty  
BROWNING KALECZYC BERRY & HOVEN P.C.  
139 North Last Chance Gulch  
P.O. Box 1697  
Helena, MT 59624  
(406) 443-6820